

RELIEF OF CERTAIN ALIENS

MARCH 6, 1958.—Committed to the Committee of the Whole House and ordered to be printed

Mr. FEIGHAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. J. Res. 551]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 551) for the relief of certain aliens, having considered the same, report favorably thereon with amendments and recommend that the joint resolution do pass.

The amendments are as follows:

On page 2, line 24, after the name "Brancato," insert the name "Peter O'Hara,"

On page 3, at the end of the Joint Resolution, strike out the period and add the following:

: Provided, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the Immigration and Nationality Act in the case of Peter O'Hara.

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution, as amended, is to grant the status of permanent residence in the United States to 6 persons and to provide for the cancelation of deportation proceedings in the cases of 4 persons

The purpose of the amendment is to add the name of Peter O'Hara, which name was included in House Joint Resolution 553 in error, and the resolution has been further amended to provide that a bond be posted as surety that he will not become a public charge.

GENERAL INFORMATION

The committee, desiring to lighten the burden of the Chief Executive and to shorten the time required for the consideration of private calendars on the floor of the House, has decided to include the names of several beneficiaries of pending bills in one joint resolution, after having considered each of the cases on their individual merits and having acquainted themselves with all the facts pertinent to each case.

Section 1 of the joint resolution provides for permanent residence in the United States for three persons upon the payment of the required visa fees. This section also provides for the deduction of the appropriate quota numbers. The beneficiaries of this section were the subjects of the following individual bills:

H. R. 1674, by Mr. Ray

H. R. 5583, by Mr. O'Hara of Illinois

H. R. 7777, by Mr. Walter

Section 2 of the joint resolution provides for permanent residence in the United States for two persons, upon payment of the required visa fees. No quota deduction has been included in this section in view of the fact that the beneficiaries are entitled to nonquota status. They were the subjects of the following individual bills:

H. R. 2315, by Mr. Powell

H. R. 2916, by Mr. Farbstein

Section 3 of the joint resolution provides for permanent residence in the United States to one person who was the subject of H. R. 4071, by Mr. Walter. This section also provides for the payment of the required visa fee and that one number shall be deducted from the number of immigrant visas authorized to be issued to refugee-escapees pursuant to section 15 of the act of September 11, 1957 (71 Stat. 643-644).

Section 4 of the joint resolution, as amended, provides for cancellation of deportation proceedings in the cases of four persons who were the subjects of the following individual bills:

H. R. 3136, by Mr. Farbstein

H. R. 3154, by Mr. Healey

H. R. 6916, by Mr. Allen of California

H. R. 7112, by Mr. Feighan

The pertinent facts in each case included in the joint resolution appear below in the order in which those cases appear in House Joint Resolution 551, as amended.

H. R. 1674, by Mr. Ray—Eleanora Fiorini

The beneficiary is a 62-year-old native of Malta who is single and is employed as a nurse's aid by the Guardian Angel Home in Brooklyn, N. Y., in 1954. She was admitted to the United States as a visitor accompanying her cousin's son, for whom she has been caring since his childhood when his mother died. He is a paraplegic and is now receiving outpatient treatment at the New York University-Bellevue Medical Center in New York City. The beneficiary has no close relatives in the United States or abroad other than several cousins.

The pertinent facts in this case are contained in letters dated September 19, and November 28, 1956, from the Commissioner of Immigration and Naturalization to the chairman of the Committee

on the Judiciary regarding a bill pending during the 84th Congress for the relief of the same person. Those letters read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., September 19, 1956.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 12251) for the relief of Eleanora Fiorini, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Malta, a subquota of Great Britain.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ELEANORA FIORINI,
BENEFICIARY OF H. R. 12251

The beneficiary, Eleanora Fiorini, is a native of Malta and a subject of Great Britain, who was born on July 1, 1895. She is single and resides at 1137 64th Street, Brooklyn, N. Y., with her cousin's son, John Carasalle, age 18 years, who is a victim of cerebral palsy. Miss Fiorini is employed as a nurse's aid by the Guardian Angel Home in Brooklyn, at a salary of \$150 per month. Her assets consist of personal property valued at \$500. She has no close relatives in the United States or abroad other than several cousins.

The beneficiary entered the United States at New York, N. Y., on July 29, 1954, as a visitor and was admitted for a period of 6 months. She accompanied Mr. Carasalle who was admitted to the United States for the purpose of obtaining medical treatment. She subsequently received extensions to June 28, 1956. On November 2, 1955, she made application for a change of status to that of a permanent resident under section 245 of the Immigration and Nationality Act. This application was denied on May 1, 1956, on the ground that she was not maintaining her nonimmigrant status at the time the application was filed. An appeal from this decision was dismissed by the northeast regional commissioner of this Service on July 3, 1956, and she was thereafter given to August 9, 1956, to effect her departure from the United States. Deportation proceedings are being instituted on the ground that she has remained in the United States for a longer time than permitted.

Miss Fiorini has been caring for her cousin's son, John Carasalle, since his childhood when his mother died. He has been a paraplegic since birth and is now receiving outpatient treatment at the New York University-Bellevue Medical Center in New York City. This Service has granted him several extensions of his nonimmigrant status, the last of which expires on November 5, 1956. His father, who resides in Argentina, contributes \$214 per month toward his support.

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 28, 1956.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: This refers to the report furnished by this Service to the committee on September 19, 1956, relative to Eleanora Fiorini, beneficiary of private bill H. R. 12251, 84th Congress.

The following additional information has been received concerning this beneficiary:

Deportation proceedings were instituted against the beneficiary on September 24, 1956, on the ground that she remained in the United States for a longer time than permitted. On October 15, 1956, after a hearing, she was found deportable on that ground and an order was entered granting her voluntary departure in lieu of deportation with the alternative of deportation if she fails to comply.

Sincerely,

J. M. SWING, *Commissioner.*

Mr. Ray appeared before a subcommittee of the Committee on the Judiciary and testified in support of his bill, as follows:

Mr. Chairman, I respectfully present the following statement in support of H. R. 1674, for the relief of Eleanora Fiorini.

The facts are simple—Miss Fiorini entered the United States in Baltimore, July 29, 1954, coming from Buenos Aires, by ship.

Her nearest living relative is a cousin, Joseph Fiorini, 678 60th Street, Brooklyn, N. Y., with whom Miss Fiorini and her nephew, John Franco Carossale, reside. Her nephew is a cerebral palsy case and Miss Fiorini brought him to this country for treatment which is producing marked improvement, but it is not complete.

The nephew has made good progress in his studies but he still has to be taken to and from school. He needs help in dressing and has to be fed.

In June 1957, action on H. R. 1674 was deferred in view of the possibility that there might be administrative relief for Miss Fiorini because of her nursing experience. Proceedings to that end resulted in a decision by the Immigration Service that Miss Fiorini could not qualify technically as a nurse and, therefore, could not receive administrative relief. Thereafter H. R. 1674 was again set down for hearing.

I believe the case is a worthy one and that Miss Fiorini should be granted permanent residence.

Mr. Ray also submitted the following letters in support of his bill:

NEW YORK UNIVERSITY-BELLEVUE MEDICAL CENTER,
New York, N. Y., August 8, 1957.

Hon. J. H. RAY,
House of Representatives, Washington, D. C.

DEAR SIR: I am writing this letter at the request of Mrs. Eleonora B. Fiorini, 1137 64th Street, Brooklyn. She is the aunt of our patient John Carassale, 18. John has been a patient in our outpatient department, under the care of Dr. George G. Deaver since July 1954 and is at present undergoing treatment for a cerebral palsy, athetoid condition. He has severe involvement of speech and both upper and lower limbs are involved. He has made good progress during the time he has been under our care but further intensive rehabilitation is necessary.

Mrs. Fiorini has raised John since infancy as his mother died in childbirth and her last request was that Mrs. Fiorini take responsibility for John. She has, in every way, been a mother to him. He is dependent upon her for most of his needs and as yet is not self-sufficient, although some progress in independence and self-care is being made. There is a strong emotional attachment as well as dependence on his aunt. For these reasons we trust that it will be possible for Mrs. Fiorini to stay in this country until John's rehabilitation is completed.

Sincerely yours,

MRS. MAZY YURDIN,
Director of Social Service, Children's Division.

THE ANGEL GUARDIAN HOME,
Brooklyn 19, N. Y., February 15, 1958.

Hon. JOHN H. RAY,
House of Representatives, Washington, D. C.

DEAR MR. RAY: Your good secretary called me with information that the House bill in favor of Eleanora Fiorini will be considered during this coming week.

Miss Fiorini's status in relation to her charge: John F. Carasalle has not changed since my last report to you. John is still dependent upon Eleanora for all personal services. Due to his handicapped condition he cannot leave his room without being assisted by Eleanora. She escorts him to the medical center, to church and now recently to a hospital for medical treatment re: a stomach condition. She cooks, feeds, and assists in clothing him.

John has shown some improvement due to the treatment he is receiving at the medical center. His speech is more articulate, he has a greater facility in the use of his legs and has shown an improvement in the use of his hands. A correspondence course in high-school subjects has been arranged for him.

Eleanora is still doing her good work at the home and works extra hours in order to provide more adequately for John. I never met a

more self-sacrificing person. And what more she is most conscientious in meeting her income tax.

May your untiring efforts be crowned with due success. With prayerful wishes,

Sincerely yours,

JOSEPH R. KOCH, *Chaplain.*

THE ANGEL GUARDIAN HOME,
Brooklyn 19, N. Y., June 8, 1957.

HON. JOHN H. RAY,
House Office Building, Washington, D. C.

HONORABLE AND DEAR SIR: May we request that every consideration be given Miss Eleanor Fiorini's plea to remain in the United States.

Miss Fiorini is presently serving our agency as an nurse's aid in the infant nursery. The type of service she gives cannot be over-rated. Miss Fiorini is a person of high integrity, intelligence, and refinement. Hers is a devoted service that cannot be bought or adequately compensated. To Miss Fiorini every baby is an individual to be developed to fullest mental and emotional capacity. The alert and happy reaction visitors receive from the babies is a reflection of the stimulation Miss Fiorini constantly affords them.

The remarkable progress made by the cerebral-palsied nephew of Miss Fiorini is wholly due to her self-sacrificing dedication to his needs. Own parents often cannot accept the challenge that Miss Fiorini met in working with this boy. The teamwork that they have developed is something unique and inspiring.

We cannot recommend Miss Fiorini too highly and we beg that she be permitted to remain in the United States to continue her splendid formation of future citizens.

Sincerely yours,

THE SISTERS OF MERCY AND THE BABIES
OF THE ANGEL GUARDIAN HOME,
SISTER MARGARET MARY, *Superintendent.*

H. R. 5583, by Mr. O'Hara of Illinois—Sung Kee Lee

The beneficiary is a native and citizen of Korea who is 23 years of age who was admitted to the United States as a student and is attending the Young Men's Christian Association Central School in Chicago, Ill., and is employed as a bartender at the Fifth Army Headquarters. He was employed by the United States Army in Korea from 1952 until 1954.

The pertinent facts in this case are contained in a letter from the Commissioner of Immigration and Naturalization, dated July 31, 1957, to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 31, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 5583) for the relief of Sung Kee Lee, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Chicago, Ill., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Korea.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE SUNG KEE LEE, BENE-
FICIARY OF H. R. 5583

The beneficiary, Sung Kee Lee, a native and citizen of Korea, was born on May 24, 1934. He has never married and resides at 5216 South Harper Street, Chicago, Ill.

The beneficiary is employed as a bartender at the Fifth Army Headquarters, Chicago, Ill. He completed 2 years of high school at Pusan, Korea, and is now attending the Young Men's Christian Association Central School, Chicago, Ill. He earns \$20 a week and board and receives \$50 a month from his parents. He has \$300 in savings and his total assets amount to \$500. His parents, 4 brothers and 1 sister live in Pusan, Korea.

Mr. Lee entered the United States at Honolulu, Hawaii, on June 23, 1955, as a student. Extensions of stay to October 1, 1957, have been authorized. Deportation proceedings will not be instituted as long as he maintains a full course of study at an approved institution of learning.

The beneficiary is registered under the Universal Military Training and Service Act.

Mr. O'Hara of Illinois, the author of H. R. 5583, submitted the following letter and statements in support of his bill:

HOUSE OF REPRESENTATIVES,
Washington, D. C., May 17, 1957.

Re H. R. 5583 for relief of Sung Kee Lee.

HON. FRANCIS E. WALTER,
Chairman, Subcommittee on Immigration,
House Judiciary Committee, House Office Building,
Washington, D. C.

DEAR MR. CHAIRMAN: I have introduced H. R. 5583 for the relief of Sung Kee Lee, a Korean who has been sponsored by a number of Army officers whose letters I enclose.

May I call your attention to the letter of Lt. Col. Patrick W. Laurie who knew Mr. Lee when he acted as interpreter for the Eighth Army in Korea.

I shall appreciate your securing a report from the Attorney General and expediting the enactment of H. R. 5583 conferring permanent residence in the United States upon Mr. Lee, whose avowed intention is to become a United States citizen and join the Army.

Cordially and sincerely,

BARRATT O'HARA,
Member of Congress.

To Whom It May Concern:

I have known Lee Sung Kee since mid-1952 when he was employed as an interpreter in the provost marshal section of Headquarters, I United States Corps, Eighth United States Army, Korea.

From the time of my arrival in Korea in 1952, Lee worked for me continuously until my return to the United States in May of 1954. During this period he held various positions to include corps provost marshal section interpreter, battalion headquarters interpreter, civilian timekeeper and, at various times, civilian labor supervisor. At all times Lee's loyalty, devotion to duty, honesty, and integrity were of the highest; I feel he served the United Nations cause well and was an example to his fellow countrymen.

In 1955 I sponsored Lee's coming to this country to permit him to receive a college education. Since his arrival, Lee has conducted himself in an exemplary manner; he has diligently applied himself to his educational pursuits and utilized his spare time in part-time employment at Fifth Army headquarters and acquainting himself, through field trips and social gatherings, with the customs and cultures of this country.

For the past year, Lee has consistently expressed a desire to become a citizen of this country and to become a member of its Armed Forces. If, through congressional action, this was made possible, I feel assured that Lee would not only be an excellent law-abiding citizen who would contribute to the overall good of this country, but would also be a valuable asset due to his education, language ability and some three years' experience in the field with our Armed Forces.

PATRICK W. LAURIE,
Lt Colonel, MPC, United States Army.

HEADQUARTERS FIFTH UNITED STATES ARMY,
Chicago, Ill., March 11, 1957.

Hon. BARRATT O'HARA,
House of Representatives,
Washington, D. C.

DEAR MR. O'HARA: This is in reply to your letter of March 6, 1957, pertaining to the assistance you are rendering to Sung Kee Lee.

I am most happy to furnish you the following information. I have known this young man for approximately 30 months, both in Korea and here in the United States. He is neat appearing, has a pleasant personality, and is intelligent and cooperative. I have observed him over many months as an employee of the officers' mess, this headquarters. In this position he has been given the trust of considerable amounts of money and has been found to be completely trustworthy. He is currently a student at the YMCA Junior College here in Chicago, having formerly been enrolled at the University of Illinois, Navy Pier, Chicago, and although the language problem has been of concern to him, he has diligently pursued his courses of duty and, to my knowledge, is doing satisfactory work. He is hard working and industrious, and I believe would make a loyal and dependable citizen of these United States. To my knowledge, his moral habits are above reproach, and I have never observed him to take a drink of alcoholic beverages.

I would recommend him very highly to be admitted as a citizen of these United States.

Sincerely yours,

VERNON W. RICE,
Colonel, AGC, Deputy Adjutant General.

To Whom It May Concern:

It has been my pleasure to know Mr. Sung Kee Lee for a period of approximately 18 months. The opportunity for observation of Mr. Lee during this period of time has been extensive due to the fact that he has been employed by the officers club at this installation and has resided for the most part with Lt. Col. Patrick Laurie, a personal friend of the undersigned.

Mr. Lee has especially impressed me with his quiet but unwavering devotion of purpose in attaining the enviable goal in life to which he aspires. He is sober, intelligent, industrious, and has displayed an outstanding ability to adapt himself to the American pattern of living. His command of the American language and his ability to meet and socially engage in various activities has been impressive. Mr. Lee has been attending the University of Illinois on a full-time basis. The greater part of his support in obtaining this education has been provided by his part-time employment at the Fifth Army officers club. This in itself is evidence of his positive desire to improve himself educationally and his initiative and resourcefulness in providing the means to attain this goal.

I sincerely feel that the granting of a citizenship to Mr. Lee would be advantageous to both the United States and Mr. Lee. It would give to our country a fine and useful person who would prove to be a distinct asset to our American heritage and it would provide Mr. Lee

with an opportunity to remain in this country and put to constructive use the advantages he has received.

RICHARD J. KORSTAD,
First Lieutenant, MPC.

To Whom It May Concern:

I have known Mr. Sung Kee Lee for a period of approximately 18 months during which time I have had the opportunity to observe him in both a social and work capacity.

Mr. Lee has always conducted himself in an exemplary manner. He is quiet, mild mannered, industrious, and is always willing to cooperate with people.

Mr. Lee is also very interested in improving himself and being an asset to his community. He is loyal to his superiors and is the type of person who is respected by all people with whom he comes in contact.

Mr. Lee is attending a State university at this time, which to the undersigned is indicative of an individual who is willing to contribute his maximum time and effort to become a good citizen.

ROBERT E. GOODMAN,
Chief, Records Administration Branch, Headquarters, Fifth Army.

HEADQUARTERS FIFTH ARMY
OFFICERS OPEN MESS,
Chicago 15, Ill., December 31, 1956.

To Whom It May Concern:

For the past year I have had the opportunity to view the work of Sung Kee Lee who has been employed as a bartender by this organization. He has proven beyond a doubt to be a honest, reliable and extremely conscious employee. I was delighted to hear that he is now anxious to become a citizen of this country.

I am firmly convinced that he has already proven himself by his actions and integrity in becoming an outstanding example of citizenship. I would therefore heartily endorse his desire to become a part of this Nation.

J. D. CHANDLER,
Second Lieutenant, QMC, Mess Officer.

CENTRAL YMCA DAY AND EVENING HIGH SCHOOL,
Chicago, Ill., March 14, 1957.

To Whom It May Concern:

As one of Sung K. Lee's instructors, please allow me to commend him highly as a student.

I find him to be competent, cheerful, cooperative, and completely reliable, rendering all his tasks in a manner that sets him apart from the average student.

His talents are combined with a polite demeanor which is also ingratiating.

Sincerely yours,

RICHARD J. ODROWAZ,
Instructor, English Department.

H. R. 7777, by Mr. Walter—Sgt. John F. Baughman

The beneficiary is a 45-year-old native and citizen of the Philippine Islands, born to a United States citizen father in a bigamous marriage contracted in the Philippines. He believed himself to be a United States citizen until he attempted to establish such citizenship in bringing his wife and two minor children to the United States in 1956. He served in the United States Air Corps in Manila from 1939 until 1949 and was admitted to the United States as a citizen in 1953 when he came to enlist in the United States Army. He is still serving in the Army and is stationed at Fort Knox, Ky.

Mr. Walter, who appeared before a subcommittee of the Committee on the Judiciary and testified in support of his bill, advised the committee that this legislation was introduced at the request of the Secretary of the Army. The Secretary's letter, addressed to the Speaker of the House of Representatives, reads as follows:

MAY 15, 1957.

Hon. SAM RAYBURN,

Speaker of the House of Representatives.

DEAR MR. SPEAKER: There is forwarded herewith a draft of legislation for the relief of Sgt. John F. Baughman.

The submission of this legislation is in accordance with procedures approved by the Secretary of Defense. The Bureau of the Budget has advised that it has no objection to the submission of this proposal for the consideration of the Congress, and the Department of the Army recommends its enactment.

The purpose of the proposed bill is to deem that Sgt. John F. Baughman, RA6735520, United States Army, be lawfully admitted to the United States for permanent residence for the purpose of section 329 of the Immigration and Nationality Act of 1952, in order that he shall qualify for naturalization as an alien who has served honorably during the Second World War.

Sgt. John F. Baughman, RA6735520, was born on September 16, 1912, at Manila, Philippine Islands. On July 1, 1939, he enlisted in the United States Army Air Corps at Nichols Field, Philippine Islands, and served continuously until January 24, 1949, when he was honorably discharged from the United States Air Force at Clark Air Force Base, Republic of the Philippines. On August 12, 1953, he reenlisted in the United States Army at San Francisco, Calif., and is presently on active duty at Fort Knox, Ky.

Sergeant Baughman's father, Frederick E. Baughman, was a citizen of the United States who had served in the United States Army during the period from 1899 to 1902 in the Philippine Islands and remained there after his discharge. The sergeant's mother, Maria Balbas, was not an American citizen. According to Frederick E. Baughman, the marriage occurred on June 11, 1911. Until 1955, Sergeant Baughman had always considered himself an American citizen by reason of his father's citizenship; and had been accepted as a citizen by the United States authorities in regard to matters such as enlistment in the Army and the issuance of passports. This acceptance was granted on the basis of passport No. 728, issued by the American consul general, Shanghai, China, to Frederick E. Baughman, his wife, Maria, and two sons, John F. and Henry S. Baughman. The brother, Henry S. Baughman, who was interned by the Japanese in Santo

Tomas prison camp for 3 years as an American citizen, entered the United States as a citizen after the liberation, but has subsequently returned to the Philippines.

On August 2, 1955, application was made to the American vice consul in Manila for issuance of a passport for Sergeant Baughman's two children, Maria C., born January 3, 1947, and Albert A., born November 21, 1949, both of whom were registered as American citizens by virtue of their father's purported citizen status. The passport was necessary in order that the family might join Sergeant Baughman at his military station in Japan. Sergeant Baughman's wife, whom he married on November 13, 1946, is a Philippine citizen. This application was finally denied on December 1, 1955, by reason that their "Father's claim to American citizenship [was] upset by evidence of his father's prior marriage."

It developed that one Federico Manuel Baughman, born June 10, 1903, in the Philippine Islands had applied in 1955 to the United States vice consul in Manila for registration as a United States citizen, by virtue of the citizenship of his father, Frederick E. Baughman. (Federico Manuel Baughman was ultimately found to have lost his right to citizenship by expatriating himself by voting in a Philippine national election, a violation of sec. 349 (a) (5) of the Immigration and Nationality Act of 1952 (66 Stat. 267; 8 U. S. C. 1481)). There was produced in support of this application a marriage contract between Frederick E. Baughman and Filomena Tagulao entered on the records of the office of the treasurer of the municipality of Bayambang, Philippine Islands, on May 26, 1906, and a birth certificate showing the birth of a son, Federico Manuel, to the couple on June 10, 1903. As Filomena Tagulao did not die until 1951 and no evidence of any legal termination of this prior marriage existed (absolute divorce permitting the parties to remarry was provided in the Philippine Islands only during the period 1917-50, *see* Gamboa, *An Introduction to Philippine Law* (6th ed. 1955) 124), the marriage of Sergeant Baughman's parents was null and void (*Id.* at 120), rendering him illegitimate (*Id.* at 123, 139), and as such he could not become a citizen of the United States by virtue of his father's citizenship (*Ng Suey Hi v. Weedon*, 21 F. 2d 801 (9th Cir. 1927)) without subsequent legitimization, which could not have occurred in this case as his parents could not have legally married at the time of his conception (ch. III, art. 119, Civil Code of Spain with Phil. notes (5th ed. 1947)).

The Immigration and Naturalization Service has advised Sergeant Baughman that he would have small chance of achieving naturalization through regularly prescribed channels as the quotas from the Republic of the Philippines are filled for some time to come. Section 329 of the Immigration and Nationality Act of 1952 (66 Stat. 250, 8 U. S. C. 1440) provides a method of naturalization for aliens who served honorably in an active-duty status in the military, air, or naval forces of the United States during a period beginning September 1, 1939, and ending December 31, 1946. Sergeant Baughman would appear fully qualified for naturalization under this provision except for the fact that he was never lawfully admitted to the United States for permanent residence, as he was considered to be a United States citizen during those occasions when he entered the country. The President's message to Congress relative to immigration matters (H. Doc. No. 85, 85th Cong., 1st sess., p. 5 (1957)), has recommended that the requirement of lawful admission for permanent residence be

eliminated in the case of aliens honorably serving 3 years in the Armed Forces, and section 437 (b) of H. R. 3364, 85th Congress, a bill to amend and revise the laws relating to immigration, naturalization, nationality, and citizenship, and for other purposes, would eliminate this requirement in the case of aliens who served honorably during World War II. The enactment of private relief legislation in Sergeant Baughman's case would be in accord with the policy of this proposed general legislation.

Moreover, in view of the fact that the United States offers the privilege of naturalization to certain classes of aliens as an inducement to their rendering 5 years' active honorable service as members of the United States Army (sec. 4, act of June 30, 1950 (64 Stat. 316), as amended by sec. 402 (e) of the Immigration and Nationality Act (66 Stat. 276)), it is the opinion of the Department of the Army that it is only equitable that a similar privilege be afforded this man who, without the need of such an inducement, demonstrated, and is at present demonstrating, his loyalty to this Nation by honorable service in its Armed Forces.

The enactment of this legislation would involve no expenditure of Federal funds.

Sincerely yours,

WILBER M. BRUCKER,
Secretary of the Army.

The Commissioner of Immigration and Naturalization submitted a report on this legislation which reads as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 21, 1957.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 7777) for the relief of Sgt. John F. Baughman, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Cincinnati, Ohio, office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for the Philippines.
Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE SGT. JOHN F. BAUGH-
MAN, BENEFICIARY OF H. R. 7777

The beneficiary was born on September 16, 1912, in Manila, Philippine Islands and is a citizen of the Philippines. He married Carment Amante, who is a native and

citizen of the Philippines, on November 12, 1946, in Pasay City, Philippine Islands. They have 2 children, ages 7 and 10, and they reside with their mother in the Philippines. The beneficiary has had a high-school education and training for 3 years at the General Institute of Technology in Manila, Philippine Islands. His father is deceased. His mother resides in the Philippines.

The beneficiary first entered the United States at Honolulu, Hawaii, on June 18, 1953, to enlist in the United States Army. He was admitted at that time as a United States citizen. He last entered the United States on July 31, 1956, at San Francisco, Calif., subsequent to a United States Army overseas assignment. The beneficiary enlisted in the United States Army Air Corps on July 1, 1939, at Manila, Philippine Islands, and served with that military organization until January 21, 1949. He enlisted in the United States Army on August 12, 1953, and has attained the rank of sergeant. He is presently stationed at Fort Knox, Ky. He receives \$320 a month from his military service. His assets consist of \$1,800 in savings.

The beneficiary has stated that until 1956, he believed that he had acquired United States citizenship through his father who was born in the United States. However, in 1956 he attempted to bring his wife and children to the United States and learned for the first time that he did not acquire United States citizenship through his father as his father did not contract a lawful marriage with his mother. He stated that his father had been married prior to the marriage he contracted with his mother and that the prior marriage had not been terminated.

H. R. 2315, by Mr. Powell—Shlomo Zalman Blumenfeld (Sol Blum)

The beneficiary is a 29-year-old native of Poland who is a citizen of Israel. He is married to a United States citizen with whom he resides in Los Angeles, Calif., where he operates a diamond-cutting business. His parents and a brother are lawfully resident aliens in the United States. The beneficiary's motion to reopen deportation proceedings to seek discretionary relief as the husband of a United States citizen was denied by the Board of Immigration Appeals in January of 1957.

The pertinent facts in this case are contained in letters from the Commissioner of Immigration and Naturalization, dated July 27, 1955, and April 3, 1957. Those letters read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., July 27, 1955.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 3643) for the relief of Shlomo Zalman Blumenfeld (Sol Blum), there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary

by the Los Angeles, Calif. office of this Service, which has custody of those files.

The bill would grant the alien the status of a permanent resident of the United States upon payment of the required visa fee. It also directs that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota of Poland.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE SHLOMO ZALMAN
BLUMENFELD (SOL BLUM), BENEFICIARY OF H. R. 3643

The beneficiary, Shlomo Zalman Blumenfeld, also known as Sol Blum, was born at Dabrowa, Poland, on November 21, 1928, and is a naturalized citizen of Israel. He is single and has no dependents. He resides at 450 North Stanley Avenue, Los Angeles, Calif. Mr. Blumenfeld attended elementary school and 2 years of high school in Israel and 2 years at the Mesifta Talmudical Seminary, New York, N. Y. He is employed as a sausage maker by a local meat products company at a weekly salary of \$70. His only asset is a \$200 equity in an automobile valued at \$650. Mr. Blumenfeld's parents and a brother, citizens of Israel, are lawful permanent residents of the United States. He has no other close relatives residing in the United States. He has 3 sisters and 1 brother residing in Israel.

The beneficiary last entered the United States at New York, N. Y., on July 23, 1953, as a student. His student's status was subsequently extended until July 22, 1955. He failed to maintain the nonimmigrant status in which he was admitted. Deportation proceedings were commenced in his case on January 7, 1955, and, after hearing, he was ordered deported from the United States. His appeal to that order is pending before the Board of Immigration Appeals. The beneficiary originally entered the United States on August 28, 1950, as a student. He attended the Mesifta Talmudical Seminary, New York, N. Y., for 2 years, and then returned to Israel on November 13, 1952.

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., April 3, 1957.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: This refers to the report furnished by this Service to the committee on July 27, 1955, relative to Shlomo Zalman Blumenfeld (Sol Blum), beneficiary of private bill H. R. 3643, 84th Congress. Mr. Blumenfeld is now the beneficiary of private bill H. R. 2315, 85th Congress.

The following additional information has been received concerning this beneficiary:

The subject beneficiary was married to Edith Weiss, a United States citizen, on June 6, 1956. Mr. Blumenfeld now owns and operates a diamond-cutting business in Los Angeles, Calif., and has assets valued at approximately \$3,000, consisting of business equipment, furniture, and an automobile. The beneficiary's wife is employed as an X-ray technician and resides with him at 855 North Kilkea Drive, Los Angeles, Calif.

On December 26, 1956, Mr. Blumenfeld submitted a motion to reopen the deportation proceedings in his case for the purpose of applying for such discretionary relief as might be available to him on the basis of his marriage to a United States citizen. The Board of Immigration Appeals denied his motion on January 30, 1957.

It appears that the beneficiary is eligible for nonquota status and, if otherwise qualified, able to obtain a nonquota immigrant visa.

Sincerely,

J. M. SWING, *Commissioner*.

Mr. Powell, the author of H. R. 2315, supplied the committee with the following memorandum with reference to his bill:

MEMORANDUM FROM JOSEPH ABRAHAMS, COUNSELOR AT LAW,
NEW YORK, N. Y., IN RE SHLOMO ZALMAN BLUMENFELD

Shlomo Zalman Blumenfeld, also known as Sol Blum, was born in Dabrowa, Poland, on November 21, 1928. He first arrived in the United States as a student on August 28, 1950, to undertake rabbinical studies at the Mesifita Talmudical Seminary in Brooklyn. He then left the United States to visit Israel of which country he is a citizen and about 8 months later on July 23, 1953, he reentered the United States as a student having been issued a student's visa for the purpose of continuing his rabbinical studies at the seminary.

However, on the occasion of his second entry he did not continue his studies and applied for an extension as a student with the Immigration Service and received an extension of stay. In the form which he filled out he stated that he was attending school. This constitutes the wrongdoing of Shlomo Zalman Blumenfeld.

His mother, father, and brother are legal permanent residents of the United States. His father came as an immigrant on September 15, 1952, and his mother in May of 1954 and his brother in February of 1954. He has three sisters and a brother in Israel who are all married.

His father is a world famous rabbi who occupied the position in Israel of President of the Court of Justice. Since all the courts in Israel are rabbinical the position was almost equivalent to Chief Justice of the Supreme Court of the United States.

During the period when Shlomo Zalman Blumenfeld was in the United States he accepted employment and suffered an injury to his fingers which are disabling and permanent in nature.

This is a typical case of a young boy rebelling against the fame and wishes of his father. Actually he did not want to

be a rabbi nor has he any desire to be a rabbi. But yet, because of the eminence of his father and because of his father's request, it was expected of him that he undertake rabbinical studies.

The Immigration Service discovered the fact that he was a student who had not been attending school after his last admission and that he had been employed and served him with a warrant of arrest after which he was given a hearing in deportation wherein the hearing officer recommended that he be deported from the United States. An appeal is being taken from this decision, but the maximum relief which can be expected even if this appeal were to be successful would be voluntary departure. That is to say that Shlomo Zalman Blumenfeld would, if his appeal is granted, be permitted to leave the United States voluntarily without an order of deportation.

His natural place is with his mother and father and brother who are here in the United States as legal residents. There is no other administrative relief for him and it would be an extreme hardship if he were forced to return to Israel. He could be a useful citizen in this country. Not everyone has the ability or inclination to be a rabbi and if permitted to follow his natural inclinations which are mechanical in nature he undoubtedly would be able to contribute to our economy.

Attached hereto are various photostatic copies which attest to the position which his father, Rabbi Joseph Blumenfeld holds in this country and one photostatic copy of a statement from the workmen's compensation board certifying to the permanent condition of his disability (there is a limitation of motion in two of his fingers which were injured).

It is apparent that what he did in this country was not so much for the purpose of being permitted to remain here. His act in requesting an extension and seeking employment arose from a desire not to study for the rabbinate.

I believe this to be a meritorious case and one for which a private bill should be introduced so that this boy should be permitted to remain with his family.

The committee received the following letter from the beneficiary's wife:

LOS ANGELES, CALIF., *June 17, 1957.*

Re: Shlomo Zalman Blumenfeld

Hon. EMANUEL CELLER,

Committee on the Judiciary,

House of Representatives, Washington, D. C.

DEAR SIR: We are in receipt of your letter of April 12, 1957, addressed to the Honorable Adam Clayton Powell, in which you state that you believe that we are eligible for preexamination. However, we have been informed by the Bureau of Immigration Appeals that Shlomo is not eligible for preexamination, and that no administrative relief will be granted.

We submitted a motion to the Board of Immigration Appeals to reopen the case, and the motion for discretionary relief was denied, in a letter we received dated April 22, 1957.

Sir, my husband is a good man, an honest and trustworthy man, and has a very good character, yet they are refusing to reopen his case on the basis of bad moral character. Except for violating his student status, his record is perfect. He's never been in any sort of trouble; he fought only for noble causes, serving in the Israel Army, and devoting his life to being a good citizen wherever he lives. Why should he be marked like this for life?

Please, sir, I appeal to you, as a good American citizen, to help us. This is my country; I couldn't live elsewhere, and I want and need my husband with me, even more now, since we are going to have a child. I was born here, and I want our child to be born here, and to live here with its parents.

I hope you understand my situation, and that you can help us, as we really don't know where to turn.

Sincerely yours,

EDYTHE BLUMENFELD
SHLOMO BLUMENFELD:

H. R. 2916, by Mr. Farbstein—Rajendra Paul

The beneficiary is a 33-year-old native and citizen of India who is the husband of a United States citizen and the father of their three United States citizen children. He was first admitted to the United States in 1949 and was readmitted, also as a student, in 1955. He is employed as a chemical engineer in New Jersey. Discretionary relief has been denied administratively because of the beneficiary's failure to establish good moral character for 5 years.

The pertinent facts in this case are contained in letters from the Commissioner of Immigration and Naturalization, dated September 27, 1956, regarding a bill then pending for the relief of the same person, and March 7, 1957, to the chairman of the Committee on the Judiciary. Those letters read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., September 27, 1956.

HON. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 11885) for the relief of Rajendra Paul, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Newark, N. J., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

It appears that the beneficiary is eligible to nonquota status in the issuance of an immigrant visa.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE RAJENDRA PAUL,
BENEFICIARY OF H. R. 11885

Rajendra Paul, also known as Rajendra Paul Sharma, a native and citizen of India, was born on June 10, 1924, at Posi, District of Hoshiarpur, Punjab. He was married to Lalita Paul, a citizen of India, on July 10, 1947, in India. This marriage was terminated by divorce on September 28, 1955, at Reno, Nev. On October 7, 1955, he married Marguerite Olivier, a citizen of the United States, at New York, N. Y. Two children, Pamela, age 3, and Krishnan, age 1½, were born of their premarital relationship. A third child, Jerry, age 3 months, was born subsequent to their marriage. There were no children born of beneficiary's first marriage.

The alien resides at 905 Hamilton Avenue, Trenton, N. J., with his wife and children, who are dependent upon him for support. He attended the University of Punjab at Lahore, India from 1940 to 1944 and received a master's degree in technical chemistry. He also attended the Brooklyn Polytechnic Institute at Brooklyn, N. Y. from 1948 to 1950 and received a master's degree in chemical engineering. From 1950 to 1954 he was a teaching fellow in the department of chemical engineering at Brooklyn Polytechnic Institute and completed the requirements for his doctor's degree in chemical engineering except for his thesis. He is employed as a chemical engineer by the Thiokol Chemical Corp., Trenton, N. J. and earns \$600 per month. His parents and a brother reside in India.

Mr. Paul first entered the United States at San Francisco, Calif., on September 9, 1949, and was admitted as a student for 1 year. He was granted several extensions of stay and then departed from the United States on October 20, 1954. He returned to India to terminate his first marriage and to satisfy his obligation to the Indian Government for financing his scholarship in the United States. The Indian Government refused to terminate his first marriage. He returned to the United States at New York, N. Y., on June 19, 1955, and was admitted as a student for 1 year. Thereafter, he applied for a change of status, under section 245 of the Immigration and Nationality Act, to that of a permanent resident. His application was denied on April 9, 1956, on the ground that he failed to establish that he was a person of good moral character during the required period. His appeal from this decision was dismissed and the order of denial affirmed on May 18, 1956. As the beneficiary has manifested an intention to remain in the United States permanently and is therefore regarded as no longer maintaining his student status, consideration is being given to the institution of deportation proceedings against him.

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., March 7, 1957.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: This refers to the report previously furnished by this Service to the committee relative to Rajendra Paul, beneficiary of private bill H. R. 11885, 84th Congress, who is now the beneficiary of H. R. 2916, 85th Congress.

The following additional information has been received concerning this case:

Deportation proceedings were instituted against the beneficiary and a warrant of deportation issued on February 11, 1957.

Sincerely,

Commissioner.

Mr. Farbstein, the author of H. R. 2916, submitted the following statement in support of his bill:

STATEMENT BY HON. LEONARD FARBSTEIN

This bill was originally introduced in the 84th Congress by Congressman Arthur G. Klein at the request of Mr. Arnold B. Vaught of the New York Friends Center and in the 85th Congress by me at the request of the same individual.

The facts in this case are as follows: Mr. Paul was born in 1924 in the Punjab. He was married in India, by family arrangement, on July 10, 1947. He attended the University of Punjab in Lahore, India where he received a bachelor of science degree and in 1944, received a master's degree in technical chemistry. After obtaining his master's degree, he was assistant professor of chemistry for 4 years at colleges associated with the Punjab University. Then, in 1948, the Indian Government sent him to the United States on a scholarship to further pursue his education. He attended Brooklyn Polytechnic Institute, Brooklyn, N. Y. from 1948 to 1950 and received a master's degree in chemical engineering. From 1950 to 1954 he was a teaching fellow in the department of chemical engineering at Brooklyn Polytechnic Institute and completed the requirements for his doctor's degree in chemical engineering, except for his thesis. In the summer of 1954 Mr. Paul obtained summer employment as shift supervisor with the E. S. Nossen Laboratories, Paterson, N. J., who were engaged in research on manganese under United States Department of Defense contracts. Mr. Paul requested change of status during the period of 1948-51 at the request of the Information Service of the State Department in order that he might narrate short movies in Hindu to be shown in India.

He met the present Mrs. Paul in 1951. Inquiries regarding the securing of a divorce were made but, according to Mrs. Paul, the cost was far beyond their means. Mr. Paul returned to India to terminate his first marriage and to satisfy his obligation to the Indian Government for financing

his scholarship in the United States. However, the Indian Government refused to terminate the first marriage. Mrs. Paul, who at that time was pregnant, at the request of Mr. Paul's parents, went to India in the belief that such action would assist in obtaining a divorce from his first wife. Mr. Paul followed shortly thereafter, in October 1954. Mrs. Paul advises that pressures were brought to bear upon both of them to the degree that she sought the protection of the United States Department of State, which Department subsequently returned her and her child to the United States in June 1955. Mr. Paul returned to the United States in June 1955 and was admitted as a student for 1 year. He applied for change of status under section 245 to that of permanent resident but the application was denied on April 9, 1956, on the ground that he failed to establish he was a person of good moral character during the required period. Appeal from this decision was dismissed and order of denial affirmed on May 18, 1956. Prior to this action Mr. Paul obtained an American divorce from his Indian wife and married the present Mrs. Paul on October 7, 1955.

I believe that this measure should be acted upon favorably, not only because Mr. Paul has an American-citizen wife and three American-citizen children dependent upon him, and because he cannot return to India because of the social barriers presently existing because of his divorce from his Indian wife, but because he can contribute so much to our country through his scientific training. Letters from various technical organizations for whom he has worked, including a letter from his present employer, previously submitted to the committee, indicate that he has extremely high ability in the field of chemical engineering. At the present time he is employed by the Thiokol Chemical Corp. as senior chemical engineer. His responsibility has been to develop processes for and prepare small amounts of new materials including rocket fuels. Mr. Paul's letter of January 20, 1958, previously submitted to the committee explains in detail the importance of his work to this country. At this time of continuing shortage of technically qualified persons, he would be of extreme value to the United States and, in my opinion, it would be a serious and gross error to lose a person of his ability.

It is therefore my sincere hope that this committee will see fit to act favorable on this bill.

H. R. 4071, by Mr. Walter—Ali Dawud Abu Ghannam

The beneficiary is a Palestinian Arab who is 32 years of age. He was born at Al-Tour (Mount of Olives), Palestine, which is now part of Jordan. He was forced to flee from Jerusalem in 1948, where he was operating a grocery store, and was an inmate of a refugee camp until 1949 when he obtained employment with the International Red Cross as a cook in hospitals. He entered the United States as a visitor in April of 1951.

The pertinent facts in this case are contained in a letter from the Commissioner of Immigration and Naturalization, dated April 8, 1957,

to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., April 8, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 4071) for the relief of Ali Dawud Abu Ghannam, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Philadelphia, Pa. office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Palestine.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ALI DAWUD ABU GHAN-
NAM, BENEFICIARY OF H. R. 4071

The beneficiary was born on December 25, 1925 at Al-Tour (Mount of Olives), Palestine, which is now a part of Jordan. He is single and resides in Wilkes-Barre, Pa. He is employed as a cook in the Spa Restaurant in Wilkes-Barre, Pa., at a salary of approximately \$3,200 per year. His personal assets total about \$500. The beneficiary attended school in his native country for 7 years. Thereafter he operated a grocery store and worked in hospitals as a cook. His father is deceased. His mother, 1 sister, and 1 brother reside in Jordan. He has no one in the United States dependent upon him for support.

The beneficiary entered the United States at New York, N. Y., on April 20, 1951, as a nonimmigrant temporary visitor. He has testified that it was his intention at the time of his admission to remain in the United States permanently. Deportation proceedings were instituted on October 28, 1952 and on January 27, 1953 he was found subject to deportation by a special inquiry officer on the ground that at the time of his admission he was an immigrant not in possession of an immigrant visa. A warrant for his deportation was issued on May 22, 1953 and is outstanding. He applied for adjustment of his immigration status to that of a permanent resident of the United States under section 6 of the Refugee Relief Act of 1953. This application was denied by this Service on April 25, 1955 as he failed to establish that his entry into the United States was as a bona fide nonimmigrant. A reopened hearing was accorded him relevant to this appli-

cation. It was again denied on January 10, 1957 for the same reason and in addition on the ground that he could return to the country of his birth and citizenship without fear of persecution on account of race, religion, or political opinion. He is registered under the Universal Military Training and Service Act in Wilkes-Barre, Pa.

Mr. Ghannam was the beneficiary of private bills S. 2546, 84th Congress, and H. R. 4832, 83d Congress, which were not enacted.

Mr. Walter, in his testimony before a subcommittee of the Committee on the Judiciary in support of his bill, stated that the beneficiary is, in fact, an Arab refugee from Palestine, and that he fits into the definition of a Palestine refugee as such definition was used in section 4 (a) (14) of the Refugee Act of 1953, as amended. Mr. Walter further explained that the beneficiary was forced to flee from Palestine as a result of the change of sovereignty of the territory in which he resided; namely, that part of Jerusalem which is now part of the Republic of Israel. In recognition of the above-stated fact, Mr. Walter recommended that the beneficiary be classified as a refugee-escapee within the meaning of section 15 of Public Law 85-316 and that the usual quota deduction be charged to the visa allocation authorized under that law.

The committee adopted the amendment proposed by Mr. Walter and the language of House Joint Resolution 551, as it relates to this beneficiary, provides that one number be deducted from the number of visas authorized to be issued to refugee-escapees under the above mentioned section 15 of Public Law 85-316.

Mr. Walter also supplied the committee with the following letter in support of his bill:

WILKES-BARRE, PA., *May 2, 1956.*

Re: Ali Dawud Abu Ghannam, beneficiary of S. 2546, 84th Congress.

FRANCIS E. WALTER, M. C.

House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: The subject young man is a cousin of a good friend of mine. He came to this country in 1951 on a visitor's visa and, unless we can do something for him in a hurry, will be deported no later than May 18 of this year.

Ali Dawud Abu Ghannam is 29 years of age. He was born in Tur Village, which is now part of Jordan, but was then Palestine. He served with the Palestinian Army (English) and after that settled in the New City of Jerusalem where he had a grocery store. He was forced to flee from there in 1948 because of his nationality and religion.

From there he went to Amman, Jordan, and was later employed by the Count Folke Bernadotte Mission of the United Nations; still later, at the Victoria Hospital (International Red Cross hospital), and finally secured a visitor's visa to come to the United States.

At the time of his original hearing on deportation proceedings, he is supposed to have stated that when he came here as a visitor he intended to stay (this young man denies this vigorously). This is the reason he was refused relief under the 1953 Refugee Act. At the present session of Congress, Senator Edward Martin introduced bill S. 2546 to adjust his status, and approximately 10 days ago, the subcommittee postponed action on the bill indefinitely, with the

result that the young man now has the order from the Immigration Department to leave the country.

Mr. Louis G. Feldmann, Wilkes-Barre, Pa., has been acting as his attorney at all stages of the proceedings, except during the first hearing, and he has discussed the matter with Richard Arens, counsel for the Senate Committee on Immigration, and it is possible that this committee may reconsider its action and pass the bill.

I would appreciate it if you would contact Mr. Arens in order to assure him that if the bill is passed by the Senate, you will do everything you can to have the same bill passed by the House of Representatives.

While this letter is long, I realize I have not given you all the facts you should have, so I am asking Mr. Feldmann to stop in your office in the next week to brief you or one of your staff on the matter.

With very best wishes, I am,

Sincerely,

ANDY

(Andrew J. Sordoni).

H. R. 3136, by Mr. Farbstein—Maria Grazia Brancato

The beneficiary is a 75-year-old native and citizen of Italy. She is a widow and has no children. Her three sisters are citizens and residents of the United States. The beneficiary resided in the United States from 1886 to 1889 and again from 1903 to 1907 and was last admitted as a visitor in 1952 for the purpose of settling her husband's estate.

As introduced, H. R. 3136 was designed to grant the beneficiary permanent residence in the United States. However, the committee agreed only to propose that deportation proceedings be canceled in this case, and the language of House Joint Resolution 551 as it relates to this beneficiary has been redrafted accordingly.

The pertinent facts in this case are contained in a letter dated June 7, 1957, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., June 7, 1957.

HON. EMANUEL CELLER,

*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 3136) for the relief of Maria Grazia Brancato, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Italy.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MARIA GRAZIA BRAN-
CATO, BENEFICIARY OF H. R. 3136

The beneficiary, Maria Grazia Brancato, also known as Maria Grazia Re Brancato, was born on September 3, 1882, in Italy and is a citizen of that country. She is a widow and has no children. She has an income of \$1,500 a year which is derived from investments. Her assets consist of a savings account containing \$4,000, stocks valued at \$18,000, a \$10,000 interest in an oil well and a \$40,000 interest in her husband's estate. The beneficiary has three sisters who reside in the United States and are United States citizens.

The beneficiary was in the United States from 1886 to 1889 and again from 1903 to 1907. She last entered the United States at New York, N. Y., as a visitor on August 25, 1952, under the ninth proviso to section 3 of the Immigration Act of 1917 because of her illiteracy. She was admitted to February 24, 1953, for the purpose of settling her husband's estate. Several extensions were granted to her, the last of which expired on January 16, 1957. Deportation proceedings are being instituted on the ground that she failed to comply with the conditions of her nonimmigrant status.

Mr. Farbstein, the author of H. R. 3136, submitted the following statement in support of his bill:

STATEMENT OF HON. LEONARD FARBSTEIN

Mrs. Brancato entered the United States as a visitor on August 25, 1952, under the ninth proviso to section 3 of the Immigration Act of 1917 for the purpose of settling her husband's estate. She is a widow, childless, and 75 years of age.

The amount due her in the estate is in excess of \$200,000 most of which is tied up in substantial interests in real estate and other business. She has been successful in arranging for settlement and sale of some of the properties in amounts far in excess of the original appraisals.

Her three sisters are all residents and citizens of the United States. Under the quota for Italy it is doubtful if her name could be reached during her lifetime. Therefore, since return to Italy would be a physical and mental hardship, it is hoped that the committee will see fit to act favorably on this measure.

H. R. 3154, by Mr. Healey—Peter O'Hara

The beneficiary is a 31-year-old native of Ireland who was admitted to the United States for permanent residence in 1954. He has been found deportable from the United States because of a mental condition not affirmatively shown to have arisen subsequent to his entry and because he became a public charge within 5 years after his admission to this country.

As introduced, H. R. 3154 proposed that the provision of section 212 (a) of the Immigration and Nationality Act, as it relates to one

who is inadmissible because of a mental defect, be waived in this case. However, since the beneficiary was admitted to the United States for permanent residence, the committee is of the opinion that legislation in behalf of this person should provide for the canceling of deportation proceedings, thus restoring his status as a lawfully resident alien, with a further proviso that a bond be posted as surety that the beneficiary will not become a public charge. The language of House Joint Resolution 551, as amended, as it relates to this beneficiary has been redrafted accordingly.

The pertinent facts in this case are contained in a letter dated August 17, 1956, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary regarding a bill then pending for the relief of the same person. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., August 17, 1956.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 10919) for the relief of Peter O'Hara, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill would waive the provision of the Immigration and Nationality Act which excludes from admission into the United States aliens who have had one or more attacks of insanity, and would authorize the issuance of a visa to the alien and his admission for permanent residence, if he is otherwise admissible under that act. The bill would also require that a bond be deposited to insure that the alien shall not become a public charge.

It will be noted that the beneficiary, who is in the United States, has been found subject to deportation under sections 241 (a) (1) and 212 (a) (4) of the Immigration and Nationality Act as a mental defective at the time of his entry, and under section 241 (a) (8) of the act in that he became a public charge within 5 years after entry from causes not affirmatively shown to have arisen subsequent thereto.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE PETER O'HARA, BENE-
FICIARY OF H. R. 10919

Peter O'Hara, who was born on October 24, 1926, is a native and citizen of Ireland. He is unmarried, and resides at 420 East 141st Street, New York City. He is a bartender and earns \$65 per week. His assets consist of \$3,000 in cash savings and personal effects valued at about \$500. Mr. O'Hara's mother and brother are residents and citizens of Ireland. His two sisters are Irish citizens and reside in England.

The alien's only entry into the United States occurred at Boston, Mass. on June 23, 1954, at which time he was admitted for permanent residence. From July 16, 1954, until August 6, 1955, he was hospitalized in a New York State mental institution, and incurred an expense of \$1,291.50 for his care and maintenance. Although due demand has been made, the alien has failed to make reimbursement for the services rendered. On January 14, 1955, the United States Public Health Service found that the alien was certifiable for a class A mental defect at the time of his last entry into the United States and that he became a public charge because of a mental condition not affirmatively shown to have arisen subsequent to his last entry.

A warrant of arrest in deportation proceedings was issued on September 12, 1955, on the ground that at the time of entry the alien was within 1 or more of the classes excludable at the time of such entry, to wit: aliens afflicted with a mental defect. After a continued hearing the alien on April 9, 1956 was found deportable on the warrant charge and the additional charge that he become a public charge within 5 years after entry from causes not affirmatively shown to have arisen subsequent thereto. The alien was granted voluntary departure from the United States, with the alternative of deportation if he fails to depart.

Mr. Healey, the author of H. R. 3154, submitted the following statement and letters in support of his bill:

STATEMENT OF JAMES C. HEALEY, MEMBER OF CONGRESS

This bill would waive the provision of the Immigration and Nationality Act which excludes from admission into the United States aliens who have had one or more attacks of insanity, and would authorize the issuance of a visa, for permanent residence, etc.

I first introduced a bill in the 84th Congress and again this Congress. This bill was placed on the docket of the subcommittee for consideration last year, but was not reached.

Beneficiary entered United States June 1954 under Irish quota, at which time he was admitted for permanent residence. From July 16, 1954, to August 6, 1955, he was hospitalized in a New York State mental institution, during which time he incurred indebtedness for his care and maintenance in the sum of \$1,291.50. Since he was then unable to repay this indebtedness, he was found subject to deportation under section 241 (a) (8) in that he "became a public charge within 5 years of his entry, etc."

He is now in good health, both mentally and physically, and has been steadily employed since his release from the above referred to institution.

Mr. O'Hara had come to this country, looking forward to making this his permanent home; he has no close relatives or other ties outside the United States. He was released as recovered in August 1955 and his health has been excellent

since. For these reasons, I hope that favorable action will be taken on this bill.

I respectfully call the committee's attention to the attached doctor's statement that the beneficiary is in good health, and also to a statement from his employer and his cousin and uncle with whom he lives.

NEW YORK, N. Y., *February 12, 1958.*

Re Peter O'Hara.

Hon. JAMES C. HEALEY,
Washington, D. C.

DEAR SIR: I have this day carefully examined the above-named individual from the psychiatric standpoint.

I find him to be absolutely clear of any mental or emotional defects. There is no evidence at this time that he is in any way mentally ill or suffering from any mental defect (within the meaning of the immigration laws) or in any way unable to function adequately either socially or vocationally.

There is no history of any mental illness in this man prior to his entry into the United States on June 23, 1954. Since his discharge from the hospital he has been gainfully employed and given an excellent account of himself in every respect.

From the medical and psychiatric standpoint, I must repeat I do not see any evidence that this man is not functioning normally. The acute illness which necessitated a period of hospitalization has apparently left no scars or damage.

Yours truly,

JOSEPH ZINKIN, M. D.,
Diplom. American Board of Neurology and Psychiatry, Psychiatrist on staff of Bellevue Hospital, New York City.

P. S.—Please note there has been no consumption of alcohol since his discharge from the hospital in 1955.

GLADSTONE HOTEL,
New York, N. Y., February 13, 1958.

HOUSE JUDICIARY COMMITTEE.

This is to advise you that Peter O'Hara is employed by us in the capacity of doorman since, January 10, 1957.

He is sober, honest, and reliable. In a word, we have nothing but the best to say of him.

Yours very truly,

JAMES MULLAN, *Manager.*

BRONX, N. Y., *February 14, 1958.*

Re Peter O'Hara

To Whom It May Concern:

Since the discharge of Peter O'Hara from Manhattan State Hospital 2½ years ago, we have had much contact with him. From our observation, Peter O'Hara lives a very normal life.

He is, and has for some time, been employed by the Gladstone Hotel, New York City. He eats well, sleeps well, is an intelligent, conscientious person, and is very sociable. Since he is unmarried, he

goes to dances, dates, etc., frequently. In the past 2½ years he has drunk no alcoholic beverages.

Summarizing, Peter O'Hara is normal in every respect and is very well adjusted.

Yours truly,

THOMAS P. LAMBE,
Cousin to Peter O'Hara.
THOMAS LAMBE, Sr.,
Uncle to Peter O'Hara.

H. R. 6916, by Mr. Allen of California—Mrs. Evelyn Serrero

The beneficiary is a 61-year-old native of Turkey who acquired British nationality at birth through her parents. She has no children and her husband, from whom she has been separated since 1950, is in a rest home in Israel. She was admitted to the United States as a visitor in 1956 and is supported by her cousin, a citizen of the United States, and is receiving medical treatment for chronic ailments, degenerative in nature.

As introduced, H. R. 6916 proposed that the beneficiary be granted permanent residence in the United States. However, the committee is of the opinion that cancellation of deportation will provide sufficient relief in this case and the language of House Joint Resolution 551 as it relates to this beneficiary has been redrafted accordingly.

The pertinent facts in this case are contained in a letter dated November 14, 1957, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., November 14, 1957.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 6916) for the relief of Mrs. Evelyn Serrero, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif. office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Turkey.

Sincerely,

J. M. SWING, *Commissioner.*

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
AND NATURALIZATION SERVICE FILES RE MRS. EVELYN
SERRERO, BENEFICIARY OF H. R. 6916

Mrs. Evelyn Serrero, nee Canzuch, was born on January 18, 1897 in Istanbul, Turkey. She acquired British nationality at birth through her parents. She was married to Asriel Serrero in Istanbul in 1922. They had no children. The beneficiary has been separated from her husband since about 1950. He is now at a rest home in Israel. She lives at 627 15th Street in Oakland, Calif.

The beneficiary completed 6 years of grammar school. She has no occupation, income, or assets. She is supported by her cousin, Rene Canzuch, who lives at 77 Linda Avenue in Oakland, Calif.

Mrs. Serrero arrived in the United States at New York February 7, 1956, on the steamship *Olympia* and was admitted as a temporary visitor upon the posting of a \$500 maintenance of status and departure bond. She was thereafter granted extensions of her stay until August 6, 1957. Mrs. Serrero is receiving medical treatment for hepatic cirrhosis, essential hypertension, and chronic pyelonephritis. The doctor who is treating her stated she is chronically ill and will remain so as her disability is gradually degenerative in nature. Deportation proceedings will not be instituted against the beneficiary at this time.

Rene Canzuch was born on October 22, 1889, in Istanbul, Turkey. He became a naturalized citizen of the United States while he was in the United States Army, where he served honorably from May 1917 to January 1919. He was married to Marguerite DeCru, a United States citizen, in Paris, France, on June 22, 1922. They have no children.

Mr. Canzuch completed about 9 years of school in Turkey and attended evening high-school classes in the United States, where he studied commercial art, for 3 years. He has been self-employed as a sign painter for 32 years. He earns about \$100 monthly from his business, and in addition, receives a monthly social-security benefit payment of \$68.10 and an Army pension payment of \$78.75. His wife receives a social-security benefit payment of \$27 monthly. Their assets consist of a house valued at \$13,000, a checking account of \$180, furniture worth \$2,500, and sign-painting equipment valued at \$300. Mr. Canzuch's sister and nephew live in the United States.

Mr. Allen of California, the author of H. R. 6916, appeared before a subcommittee of the Committee on the Judiciary and testified in support of his bill, as follows:

Mr. Chairman, H. R. 6916 has for its purpose the granting of permanent residence status to Mrs. Evelyn Serrero, who was born on January 18, 1897, in Istanbul, Turkey. She acquired British nationality at birth through her parents, Victor Canzuck and Merope Razzi Canzuck.

She was married to Asriel Serrero in Istanbul in 1922. They have had no children. She has lived in Istanbul all

her life, with the exception of a period of about 5 years during the First World War when she and her husband left Turkey to live in Paris; subsequently they returned to Istanbul.

Although Mrs. Serrero is still a married woman, she has a lawful separation from her husband, a proceeding that is taken by declaration under Turkish law. The separation has existed since about 1950, and during this time her husband has not supported her; he is 74 years old, and has been in a rest home in Israel.

The beneficiary is presently living at 627 15th Street in Oakland, Calif. She has no occupation, income, or assets, and is supported by her cousin and his wife; they also live in Oakland, and would like to continue to support Mrs. Serrero for as long as she may live.

Mrs. Serrero arrived in the United States at New York on February 7, 1956 aboard the steamship *Olympia*, and was admitted as a temporary visitor upon the posting of a \$500 maintenance of status and departure bond.

She is presently receiving medical treatment for hepatic cirrhosis, essential hypertension, and chronic pyelonephritis. Her attendant physician has stated that she is chronically ill and will remain so because her illnesses are gradually degenerative in nature; he has written me that she requires continuous medical care and that it would be inadvisable for her to leave this country. Her cousin informs me that she is suffering greatly from her disabilities.

The beneficiary speaks both French and Greek, but does not speak English; yet she is a British citizen, and entered this country on a passport issued by the British consul general at Istanbul. The British consul in San Francisco has advised that it would be extremely unwise for her to be sent to England, as she will be unable to find employment due to the language barrier, her age, and poor health.

It appears that Mrs. Serrero is not permitted to engage in any gainful employment in Turkey, because she is not a Turkish citizen, and that, since her separation from her husband she could only be employed clandestinely or secretly, even if her health permitted her to work actively.

Therefore, in brief, we have the situation of an elderly, ill and destitute separated woman, British by birth—yet does not speak English, and has never been on British soil—who has spent practically all her life in Turkey, yet may visit Turkey only 4 months per year. Here, she is happy with her cousin and his wife, both of whom are pleased to support her in Oakland.

Therefore, I request that H. R. 6916 be given favorable consideration by this committee.

In support of the above facts, I attach to this statement excerpts from letters written to me by the following:

Fred B. Mellmann, attorney, Tribune Tower, Oakland, Calif.: "The woman named above is his first cousin, being the child of his father's brother; she came to America from Istanbul, Turkey, in February 1956, traveling on a British passport and visa. Since her separation from her husband

Mr. Canzuck has been sending her approximately \$40 every month to enable her to live. The only way Mrs. Serrero could be admitted to the United States is under the Turkish quota, because of the fact that she is a resident of that country. Since Mrs. Serrero does not speak English (she speaks both French and Greek) I was obliged to rely on Mr. Canzuck to interpret and to get for me the information. Her grandfather was born in Malta and was a British subject; he was raised to manhood in Malta and then went to Istanbul; there he married an Italian woman; a family of children was born, one of whom was the father of Mrs. Serrero; the children were all British subjects by reason of the nationality of their father; the father of Mrs. Serrero, also a British subject, lived in Istanbul and married a Grecian woman and of this marriage several children were born; one of these was Mrs. Serrero; Mrs. Serrero has never lost her British citizenship."

Kennett A. Greig, M. D., 230 Grand Avenue, Oakland, Calif.: "I have been requested to send you a report concerning Mrs. Evelyne Serrero, who has been under my treatment since July 2, 1956, for the following: (1) Hepatic cirrhosis; (2) essential hypertension; (3) chronic pyelonephritis. It is my feeling that she does require continuous medical care and under those circumstances it would be inadvisable for her to leave the country."

Clifford E. Rishell, mayor, city of Oakland, Calif.: "It seems unrealistic and heartless to deport a woman of this age to a country which is completely foreign to her and which evidently is not anxious to have her in the first place, while, on the other hand, she is here with blood relatives who are desirous of having her with them and who will look after her and see to it she is financially able to live out her remaining years in comfort and happiness. I strongly urge that you do everything within your official powers to lend assistance to this lady, and I would more than appreciate your advising me as to what measures can be taken to work out a satisfactory solution to this case."

Homer W. Buckley, judge, municipal court, City Hall, Oakland, Calif.: "Mrs. Serrero was born in Turkey but is of British citizenship. Having come to this country she is now ineligible to return to Turkey and apparently the only country that will accept her is England. She knows no English and had no friends in England but here she does have Rene and they have a very close family relationship and both she and he are extremely desirous of having her remain in this country."

Winn Lanterman, commander, Oakland Post 5, American Legion, Veterans Memorial Building, 200 Grand Avenue, Oakland, Calif.: "Mr. Canzuck is her sponsor and assures us that she will never become a public charge. Mrs. Serrero was not permitted to engage in any gainful employment in Istanbul, because she was not a citizen of Turkey, and also for the same reason she will not be permitted to return to that country other than for a period of 4 months each year.

However, the only way she can be admitted to the United States is under the Turkish quota, because she is a resident of that country, and that possibility is extremely remote because of oversubscription. Mr. Canzuck is a reliable person and is well known and respected by the members of Post 5. We are interested in helping him as we realize the situation is of vital importance to him because of his inherent responsibility to his cousin and his deep concern for her future."

H. R. 7112, by Mr. Feighan—Bozana D. Alimpic

The beneficiary is a 62-year-old native and citizen of Yugoslavia who is a widow. She was admitted to the United States as a visitor and resides with her daughter, a lawfully resident alien of the United States and is supported by her daughter and son-in-law, a United States citizen.

As introduced, H. R. 7112 proposed that the beneficiary be granted permanent residence in the United States. However, the Committee is of the opinion that cancellation of deportation will provide sufficient relief in this case and the language of House Joint Resolution 551 as it relates to this beneficiary has been redrafted accordingly.

The pertinent facts in this case are contained in a letter dated September 4, 1957, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., September 4, 1957.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 7112) for the relief of Bozana D. Alimpic, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Cleveland, Ohio, office of this Service, which has custody of those files.

The bill would grant the beneficiary permanent residence in the United States upon payment of the required visa fee. It would also direct that one number be deducted from the appropriate immigration quota.

The beneficiary is chargeable to the quota for Yugoslavia.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE BOZANA D. ALIMPIC,
BENEFICIARY OF H. R. 7112

The beneficiary was born on May 29, 1895, in Nis, Srbija, Yugoslavia, and is a citizen of that country. Her husband is deceased. She has a daughter, Mrs. Miroslava Ristich, who is a permanent resident of the United States. Her daughter is 41 years old. She married Milutin Ristich, a

naturalized citizen of the United States, on June 5, 1938, in Yugoslavia. They have a 17-year-old son. Mr. Ristich is employed as a machine operator for the Kolcast Corp. in Cleveland, Ohio. He receives a salary of \$90 per week from this employment. Mrs. Ristich is employed as a bookkeeper by the Cleveland Trust Co, where she receives a salary of \$150 per month. The beneficiary resides with her daughter and son-in-law in Cleveland, Ohio, and is supported by them. She is unemployed and has no income. She owns a home in Yugoslavia valued at \$1,500. She has a brother who resides in Yugoslavia.

The beneficiary entered the United States on January 30, 1956, at New York, N. Y., as a visitor and had been authorized to remain in the United States in that status until May 27, 1957. On July 3, 1957, the beneficiary was accorded a hearing in deportation proceedings and after being found deportable from the United States, she was granted voluntary departure with the alternative of deportation if she fails to depart when required.

Mr. Feighan, who appeared before a subcommittee of the Committee on the Judiciary and recommended the enactment of his bill, supplied the committee with the following memorandum in support of this legislation:

MEMORANDUM RE MRS. BOZANA D. ALIMPIC, 1033 EAST 69TH ST., CLEVELAND, WITH DAUGHTER, MRS. MIROSLAVA RISTICH, SON-IN-LAW, MILUTIN V. RISTICH, AND 16-YEAR-OLD GRANDSON.

Mrs. Alimpic has no relatives in Yugoslavia other than an older brother and sister, both of whom have their own families and are in straitened circumstances. Both are near 70 and are out of favor with the existent government for the reason that they were close to the previous royal régime. There has been limited contact between Mrs. Alimpic and her sister and brother. Her only family is the Ristich family.

Mrs. Alimpic was widowed in 1928, when her daughter, Miroslava was only 11 years of age. Mrs. Alimpic reared her child by keeping a rooming house, giving the child what education she could. In 1939, Miroslava was married to Milutin Ristich, an officer in the Royal Yugoslavian Army. The war followed, and in 1941, Milutin was taken prisoner by the Germans. He was interned in a prisoner of war camp for 4 years. During this critical period, Mrs. Alimpic took in the daughter and the infant son, Miroslav, who was 18 months old.

After the war, the husband, Milutin, was still unable to return to Yugoslavia, by reason of the fact that he had been in the Royal Yugoslav Army and the Communists were now in control in the country. For him to return after 1945 was tantamount to suicide. He therefore remained in Germany getting along as best he could. At length, in 1951 he was able to come to the United States as a displaced person.

He settled in Cleveland and immediately began efforts to bring his wife and son to this country. Mrs. Ristich joined her husband in the United States in 1954.

From 1941 to 1954, Mrs. Alimpic cared for her grandson and sustained her daughter, who had been separated from her husband by the war and events caused by the war, for a period of over 13 years.

Mrs. Alimpic is a woman over 60, having nothing in Yugoslavia save a widow's pension which in American funds amounts approximately to \$2 a month.

She is unable to better herself financially because of her age, her opposition to communism and her lack of training for any special pursuit. For the most part, during the past 2 years, she has been subsisting on packages and funds sent her by her son-in-law, Mr. Ristich. Customs duty imposed by the Yugoslavian Government on packages makes them almost prohibitive to receive, and the currency exchange on United States funds is so unfavorable that for practical purposes, they are almost valueless by the time the recipient gets what the government allows. Mrs. Alimpic often sold half the contents of the packages she received, so as to be able to pay the customs duties.

Should Mrs. Alimpic return to Yugoslavia, she will again be compelled to depend for her existence on what the Ristich family sends her in the form of packages. While here, she is being cared for completely by the Ristiches in their home, and there she displaces no one.

Mrs. Alimpic states that if she goes back to Yugoslavia, immediately upon her return, she will be questioned by the government police. They will ask her how conditions are in the United States. If she answers untruthfully that conditions are bad in this country, her statements will be used for propaganda purposes. If she discloses the truth, she sincerely believes she will be punished for "misrepresenting". Before leaving Yugoslavia, she tells that she was cautioned by the government agents to be careful of what she tells to her friends and relatives in the United States about conditions in Yugoslavia or suffer the consequences if she describes the country as in poor economic status.

Upon consideration of all the facts in each case included in the joint resolution, the Committee is of the opinion that House Joint Resolution 551, as amended, should be enacted and accordingly recommends that it do pass.



